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Attorneys for Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORLAND DIVISION

**OREGON PRESCRIPTION DRUG
MONITORING PROGRAM, an agency
of the STATE OF OREGON,**

Case No.: 3:12-cv-02023-HA

DEFENDANT'S ANSWER

Plaintiff,

v.

**UNITED STATES DRUG
ENFORCEMENT ADMINISTRATION,
an agency of the UNITED STATES
DEPARTMENT OF JUSTICE,**

Defendant.

Defendant United States Drug Enforcement Administration, by S. Amanda Marshall, United States Attorney for the District of Oregon, through Assistant United States Attorney Kevin Danielson, answers the complaint as follows:

Introduction

1. In Paragraph 1, Defendant admits the allegations.
2. In Paragraph 2, Defendant admits the allegations.
3. In Paragraph 3, Defendant admits that it has previously issued administrative subpoenas under 21 U.S.C. § 876 to the Plaintiff and denies the remaining allegations.
4. In Paragraph 4, Defendant admits the allegations.
5. In Paragraph 5, Defendant admits the allegations.

Facts

6. In Paragraph 6, Defendant admits the allegations.
7. In Paragraph 7, Defendant admits the allegations.
8. In Paragraph 8, Defendant admits the allegations.
9. In Paragraph 9, Defendant admits the allegations.
10. In Paragraph 10, Defendant denies the allegations.
11. In Paragraph 11, Defendant admits that U.S. Magistrate Judge Paul Papak issued an order titled “Order to Enforce DEA Administrative Subpoena” in *United States v. State of Oregon Prescription Drug Monitoring Program*, District of Oregon, Case No. 3:12-mc-00298.

Jurisdiction

12. In Paragraph 12, Defendant admits the allegations.
13. In Paragraph 13, Defendant admits the allegations.
14. In Paragraph 14, Defendant admits the allegations.
15. In Paragraph 15, Defendant admits the allegations.

Standing

16. In Paragraph 16, Defendant admits that Plaintiff has standing.
17. In Paragraph 17, Defendant admits that Plaintiff has standing and denies the remaining allegations.
18. In Paragraph 18, Defendant admits that this Court has the authority to declare the rights and obligations of the parties in this matter and denies the remaining allegations.

Prayer for Relief

Plaintiff's Prayer for Relief should be denied.

S. AMANDA MARSHALL
United States Attorney
District of Oregon

/s/ Kevin Danielson
KEVIN DANIELSON
Assistant United States Attorney
Attorneys for Defendants